

REMARKS/ARGUMENTS

Claims 1-62 remain pending in this application. Claims 1-3, 5, 11, 15, 16, 23, 24, 29, and 30 stand rejected under 35 U.S.C. 102(b) as being anticipated by the prior art of the instant application. Claims 12, 13, 17 and 28 stand rejected under 25 U.S.C. 103(a) as being unpatentable over the prior art of the instant application in view of O'Toole et al (US Patent No. 5,889,856). Claims 4, 6-10, 14, 18-22, and 25-27 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Claims 31-62 are allowed.

Claims 4, 6-10, 14, 18-22, and 25-27 are rewritten in independent form so as to include all of the limitations of the base claims and any intervening claims and are thus allowable per Examiner's statement on page 5 of the Office Action.

In view of the foregoing amendments and following remarks, reconsideration of the rejections of claims 1-3, 5, 11-13, 15-17, 23-24, and 28-30 is respectfully requested.

REJECTIONS UNDER 35 U.S.C. 102(B)

Claims 1-3, 11, 15, 16, 23, 24, 29, and 30 stand rejected under 35 U.S.C. 102(b) as being anticipated by the prior art of the instant application. In rejecting claims 1 and 11 the Examiner asserts:

...the prior art of the instant application (fig. 2) discloses a communication system network configuration of a Multi Service Data Network (MSDN) having more aggregate bandwidth which enable the routing and switching of packets or cells(voice and data) to a conventional telephone comprising the MSDN 32 interconnect various Digital Subscriber Loop Access Multiplexers (DSLAMs) 34 with multiple DSL line Cards 36 that interfaces to and communicates over a twisted pair loop 18 (transmission medium) to DSL customer premise equipment (CPE), DSL CPE may be self contained and connected to a source of packet/cell data such as a computer (not shown), may be a DSL network interface card (NIC (not shown) internal to a computer or CPE herein called voice packetizing CPE 38 transforms the analog signals from a conventional telephone terminal 20 into voice packets or cells, the CPE 38 includes most of the functions associated with a conventional telephone switch POTS line card 16 in its voice engine

42 and analog front end 44, a voice over internet protocol (VoIP) or Voice over Asynchronous Transfer Mode (VoATM) engine 46, the packet/cell stream generated by the VoIP/VoATM 46 is transmitted to and received from the DSLAM 34 by means of the DSL modem 40 (see specification pages 2-3, lines 30-34, 1-34 respectively).

Applicants respectfully traverse these rejections for at least the reasons that follow. As shown in Fig. 2 and described in pages 2-4 of the instant application, DSLAM 34 is shown as being coupled between MSDN 32 and Voice Packetizing CPE 38. DSLAM 34 is described as multiplexing data streams from multiple DSL line cards 36.

Contrary to the examiner's assertions, however, DLS line card 36 does not include "a digitizer for digitizing received voice signals", as recited, in part, in each of claims 1, and 11 of the instant application. Claim 1 and its dependent claims 2, 3, and 5 are thus allowable over prior art of the instant application. Similarly, claims 11, and its dependent claims 12-13, 15-17, 23-24, and 28-30 are allowable over prior art of the instant application.

Furthermore, each of claims 1 and 11 recites, in part, "a packetizer for packetizing said digitized voice signals, wherein said packetizer performs at least one of voice over internet protocol (VoIP) and voice over asynchronous transfer mode (VoATM) packetization", which Applicants submit DSL line card 36 of Fig. 2 of the instant application fails to disclose or suggest. Claim 1 and its dependent claims 2, 3, and 5, as well as claims 11, and its dependent claims 12-13, 15-17, 23-24, and 28-30 are allowable over prior art of the instant application for this additional reason.

Claim 1 is further allowable over prior art of the instant application for reciting, in part, "a broadband analog front end for coupling said line card to said CPE through a transmission medium", which Applicants submit is not anticipated by prior art of the instant application. Pages 6, lines 32-34, and page 7, lines 1-4 of the specification provide:

"The Broadband Analog Front End 72 combines the functionality of the voice only Analog Front End 22 of the POTS Line Card in Figure 1 and the DSL Front End 37 of the DSL

Line Card in Figure 2. The Broadband Front End 72 provides the B, O, R, S, and T functions over the full bandwidth required to support both voice and DSL signals, and it satisfies the distinct requirements of both DSL and POTS interface types with regard to termination impedance, drive levels, linearity, and loop powering.”

In other words, in contrast to prior art DSL front end 37 of the DSL line card 36 shown in Figure 2, the “broadband analog front end” of claim 1, as described above, supports both voice and POTS data. Claim 1 and its dependent claims 2, 3, and 5 are thus allowable over prior art of the instant application for this additional reason.

REJECTIONS UNDER 35 U.S.C. 103(A)

Claims 12, 13, 17 and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art of the instant application in view of O’Toole et al (US Patent No. 5,889,856). Claims 12, 13, 17 and 28 are dependent on claim 11 and are thus allowable for at least the same reasons as is claim 11.

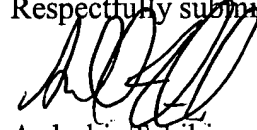
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 09/652,388
Amdt. dated [insert date]
Reply to Office Action of February 23, 2004

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (650) 752-2424.

Respectfully submitted,



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